

Notice of Allowability

Application No.

09/840,490

Applicant(s)

NAKAMURA ET AL.

Examiner

XUAN M. THAI

Art Unit

2111

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/10/2004 and 2/9/2004.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ The drawings filed on 5/10/2004 and 4/23/2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

XUAN M. THAI
Primary Examiner
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REASONS FOR ALLOWANCE

This is in response to Applicants' response on 5/10/2004 and 2/09/2004. Claims 1-12 are allowed.

The following is an examiner's statement of reasons for allowance: Applicants claimed an apparatus and method for controlling a state of a physical layer circuit, comprising: receiving in the physical layer circuit a first signal from a child node; upon receipt of the first signal, controlling the physical layer circuit to change from a first state to a second state and to transmit the first signal to the parent node; receiving in the physical layer circuit a third signal for canceling the first signal from the child node before receiving a second signal corresponding to the first signal from the parent node; controlling the physical layer circuit to transmit the third signal to the parent node after receiving the second signal from the parent node; and controlling the physical layer circuit to change from the second state to the first state after receiving the third signal from the parent node (claims 1 and 4).

Applicants further claim an apparatus and a method for controlling a state of a physical layer circuit, comprising: receiving in the physical layer circuit a first signal from a child node; upon receipt of the first signal, controlling the physical layer circuit to change from a first state to a second state and to transmit the first signal to the parent node; receiving in the physical layer circuit a third signal for canceling the first signal from the child node after receiving a second signal corresponding to the first signal from the parent node; controlling the physical layer circuit to change from the second state to a third state and to transmit the third signal to the parent node; receiving in the physical layer circuit the third signal from the parent node; and

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controlling the physical layer circuit to change from the third state to the first state (claims 7 and 10).

The prior art discloses the transition of the states of the parent nodes and child nodes in response to a plurality of signals. However, Applicants' arguments are deemed to be persuasive in that the specific timing for the transition of the states based on the specific order of the receiving signals are applicant's own invention on not the state of prior art as disclosed by the applicants.

Therefore, the claims are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to XUAN M. THAI whose telephone number is 703-308-2064. The examiner can normally be reached on Monday to Friday from 8:30 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



XUAN M. THAI
Primary Examiner
Art Unit 2111

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